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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#23/K.T.

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Applicants: David M. Stern et al.

Serial No.: CPA of 08/997,464

Group Art Unit: 1633 *NOTICE*

Filed : June 8, 2001

Examiner: Jon Eric Angell

B  
APPEALFor : A METHOD FOR EVALUATING THE ABILITY OF A COMPOUND  
TO INHIBIT NEUROTOXICITY1185 Avenue of the Americas  
New York, New York 10036  
December 4, 2002Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

**NOTICE OF APPEAL FROM  
THE EXAMINER'S DECISION TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the Final Office Action mailed June 10, 2002 finally rejecting pending claims 1, 3-5, 11-12 and 34-37 in connection with the above-identified application.

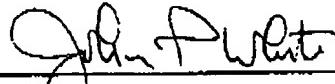
Applicants are concurrently filing an Amendment in Response to a June 10, 2002 Final Office Action and Petition For a Three-Month Extension of Time. With a three-month extension of time, the subject application is pending today, i.e. December 4, 2002. Accordingly, this Notice of Appeal is being timely filed.

The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(e) is ONE HUNDRED SIXTY DOLLARS (\$160.00), and a check for this amount is enclosed.

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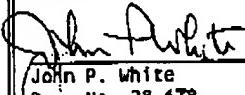
No fee, other than the enclosed \$160.00 fee for filing a Notice of Appeal, is deemed necessary in connection with the filing of this Notice of Appeal. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
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I hereby certify that this correspondence  
is being deposited this date with the U.S.  
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first class mail in an envelope addressed  
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 12/4/02  
John P. White  
Reg. No. 28,678

Date

Applicant David M. Stern et al.Client Columbia (0575) File No. 54202 JMW/ALBDate December 4, 2002**FILE**

Mr personnel check  
in amount of 460<sup>00</sup>  
# 302

Kindly acknowledge receipt of the accompanying

AMENDMENT IN RESPONSE TO JUNE 4, 2002 FINAL OFFICE ACTION AND PETITION FOR A THREE-MONTH EXTENSION OF TIME in connection with David M. Stern et al., entitled A METHOD FOR EVALUATING THE ABILITY OF A COMPOUND TO INHIBIT NEUROTOXICITY, CPA of U.S. Serial No. 08/997,464, filed June 8, 2001, including Transmittal form in triplicate, a check in the amount of \$460.00 and a certificate of Mailing dated December 4, 2002.

by placing your receiving date stamp hereon and returning to us.  
DATE DUE DECEMBER 4, 2002